

Gerald M. Needham, OSB # 963746
Assistant Federal Public Defender
101 SW Main Street, Suite 1700
Portland, Oregon 97204-3228
Tel: (503) 326-2123
Fax: (503) 326-5524
jerry_needham@fd.org

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL E. AGARD-BERRYHILL,

Defendant

Case No. 3:20-cr-00352-IM

**DECLARATION OF COUNSEL IN
SUPPORT OF UNOPPOSED MOTION
TO CONTINUE TRIAL DATE**

I, Gerald M. Needham, declare:

1. I am counsel for Gabriel E. Agard-Berryhill in the above-entitled action.
2. Mr. Agard-Berryhill has been indicted for one count of Arson in violation of 18 U.S.C. § 844(f)(1).
3. June 29, 2021, is the fourth trial setting.
4. Mr. Agard-Berryhill has been released on pretrial conditions. He is participating in the Magistrate Court's CAPS program. Mr. Agard-Berryhill has been meeting with the

Magistrate Court, the government and Pretrial Services approximately every two weeks.

He is in full compliance with all aspects of his release conditions.

5. Mr. Agard-Berryhill has authorized counsel to represent he consents to the continuance with the knowledge that the timeframe is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).
6. Defense counsel is in need of additional time to consult with forensic experts, review pretrial discovery matters, conduct legal research, consult with Mr. Agard-Berryhill, and otherwise properly prepare for trial.
7. Assistant United States Attorney Natalie Wight has authorized counsel to represent the government has no objection to the requested continuance.
8. The timeframe of the requested continuance is excludable from Speedy Trial computations pursuant to 18 U.S.C. § 3161(h)(7)(A), as additional time is required for pretrial investigation and trial preparation, and the ends of justice are better served by the granting of the continuance and outweigh the interests of the public and the defendant in a speedier trial.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct; that the statements set forth above are based on my own knowledge, except where otherwise indicated, and I believe those statements to be true; and that this declaration was executed on June 4, 2021, in Portland, Oregon.

/s/ Gerald M. Needham

Gerald M. Needham
Attorney for Defendant